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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/619,332	07/14/2003	Chuanxiong Guo	222387	6663
22801	7590	10/31/2007		
LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201			EXAMINER BAROT, BHARAT	
			ART UNIT 2155	PAPER NUMBER
			MAIL DATE 10/31/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/619,332	GUO ET AL.	
	Examiner	Art Unit	
	Bharat N. Barot	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>05/22/2007</u> . | 6) <input type="checkbox"/> Other: _____ |

RESPONSE TO AMENDMENT

1. Claims 1-24 remain for further examination.

The old rejection maintained

2. Applicant's arguments with respect to claims 1-24 filed on August 13, 2007 have been fully considered but they are not deemed to be persuasive for the claims 1-24. The rejection is respectfully maintained as set forth in the last Office Action mailed on April 12, 2007.

Claim Rejections - 35 USC § 102(b)

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
4. Claims 1-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Bracho et al (U.S. Patent No. 6,021,443). Bracho's patent meets all the limitations for claims 1-24 recited in the claimed invention.
5. As to claim 1, Bracho et al teach a method (see abstract; figures 1, 5, 10, and 12; and column 4 line 34 to column 5 line 62) comprising: receiving at least one event subscription from at least event subscriber; receiving at least one event publication from at least one event publisher; and for each event publication matching a event subscription, notifying the event subscriber of the matching published event (figures 5,

10, and 12; column 10 lines 47-61; column 12 line 45 to column 13 line 44; and column 15 lines 1-42). Event is well known and inherent in the art at the time the invention was made as a network attachment point change event (figure 10; and column 12 lines 45-55).

6. As to claims 2-3, Bracho et al teach that each event publication comprises: identification of an original network attachment point; and identification of a current network attachment point different from the original network attachment point (figures 5-7; and column 10 line 18 to column 12 line 39). Identification of a network attachment point is well known and inherent in the art at the time the invention was made as an Internet protocol (IP) address (column 5 lines 9-12).

7. As to claim 4, Bracho et al teach that each event subscription comprises identification of a network attachment point that has attached a communications peer with which the event subscriber has at least one active communication connection (figure 1; and column 5 lines 35-51).

8. As to claim 5, Bracho et al teach that the at least one event publication comprises: a first event publication from a first event publisher; a second event publication from a second event publisher; and matching the first event to each event subscription comprises: determining that the event subscription was placed by the

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second event publisher; and determining that the second event occurred within a time interval of the first event (figures 7-9 and 12; and column 14 line 21 to column 15 line 64).

9. As to claims 6-7, Bracho et al teach that matching the event to the event subscription comprises determining that the event subscription was placed by a subscriber with a private network address (reference teaches that subscriber within same hub with publisher); and for each event subscriber, determining if the event subscriber has a private network address (reference teaches that subscriber not within same hub with publisher; therefore, subscriber has a private network address) (figures 1 and 7-8; and column 4 line 34 to column 5 line 62).

10. As to claim 8, Bracho et al teach that each event subscription comprises a event subscriber notification address (ID); and determining if the event subscriber has a private network address (reference teaches that subscriber not within same hub with publisher; therefore, subscriber has a private network address) comprises determining if the event subscriber notification address is in accord with the public source of the event subscription (reference teaches that subscriber within same hub with publisher) (figures 1, 7-8, and 11-12; column 4 line 34 to column 5 line 62; and column 13 line 58 to column 15 line 64).

11. As to claims 9-24, they are also rejected for the same reasons set forth to rejecting claims 1-8 above, since claims 9-16 do not teach or define any new limitations above claims 1-8 and claims 17-24 are merely an apparatus for performing the method of operations defined in the claims 1-8.

Response to Arguments

12. Applicant's arguments with respect to claims 1-24 filed on August 13, 2007 have been fully considered but they are not deemed to be persuasive for the claims 1-24.

In the remarks, the applicant argues that:

(A) Argument: Bracho does not describe each and every element of claim 1 in as complete detail as is contained in the claim. Thus, Bracho cannot anticipate claim 1.

Response: Bracho teaches the steps of receiving event subscription from at least event subscriber and event publication from at least one event publisher (figures 3-4 and 10-12; column 7 line 64 to column 9 line 20; and column 12 line 45 to column 15 line 42); and for each event publication matching a event subscription, notifying the event subscriber of the matching published event (figures 1 and 5; column 5 lines 14-51; and column 15 lines 1-42). Event is well known and inherent in the art at the time the invention was made as a network attachment point change event (figure 10; and column 12 lines 45-55); as a result, Bracho explicitly describe each and every element of claim 1; therefore, Bracho can anticipate claim 1.

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(B) Argument: Bracho does not describe or fairly suggest that each event publication comprises: identification of an original network attachment point; and identification of a current network attachment point different from the original network attachment point, as claim 2 requires.

Response: Bracho explicitly describes or fairly suggests teaches that each event publication comprises: identification of an original network attachment point; and identification of a current network attachment point different from the original network attachment point (figures 5-7 and 12; column 10 line 18 to column 12 line 39; and column 15 lines 1-42).

(C) In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., peer-to-peer system event messages) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

(D) Applicant's arguments do not comply with 37 CFR 1.111(c) because they do not clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made. Further, they do not show how the amendments avoid such references or objections. (Applicant

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argues that independent claims 9 and 17 each include salient features similar to those of independent claim 1).

13. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Bharat Barot** whose Telephone Number is **(571) 272-3979**. The examiner can normally be reached on Monday-Friday from 7:00 AM to 3:30 PM. Most facsimile-transmitted patent application related correspondence is required to be sent to the Central FAX Number **(571) 273-8300**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Saleh Najjar**, can be reached at **(571) 272-4006**.

Patent Examiner Bharat Barot

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October 16, 2007

Bharat Barot.
BHARAT BAROT
PRIMARY EXAMINER